

YADKIN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MINUTES
Monday, March 7, 2011

The Yadkin County Board of Commissioners met in Regular Session on Monday, March 7, 2011, in the Yadkin County Human Services Building (Commissioners' Meeting Room), 217 East Willow Street, Yadkinville, NC.

Present were:

Chairman Kevin Austin
Vice Chairman Frank Zachary
Commissioner Gilbert Hemric
Commissioner David Moxley
Commissioner Marion Welborn

Staff present: County Manager, Aaron Church; Assistant County Manager/Finance Officer, Lisa Hughes; and Deputy Clerk to the Board, Tanya Gentry.

CALL TO ORDER by Chairman Austin at 9:07am.

INVOCATION led by County Manager Church.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Commissioner Moxley made a motion to adopt the agenda as presented. Commissioner Hemric second.

Vote: 5/0

PUBLIC COMMENTS

1) None.

Chairman Austin closed the Public Comments portion at 9:15am.

APPROVAL OF MINUTES

Commissioner Moxley asked that on page 2 the \$876,394.000 amount listed in the 5-D Fiscal Update paragraph be changed to \$876,394.00. Chairman Austin stated that Item number 3 on page 5 has Commissioner Moxley making a motion but does not list the second Commissioner. Chairman Austin has corrections to the February 21, 2011 Closed session and would like those minutes to be corrected and submitted for approval at the next Board of Commissioners Meeting. **Commissioner Welborn made a motion to approve the February 21, 2011 Regular Session minutes with the noted corrections. Vice Chairman Zachary second.**

Vote: 5/0

REPORTS/REQUESTS OF THE BOARD

1) None.

CONSENT AGENDA

Commissioner Moxley made a motion to approve the consent agenda. Vice Chairman Zachary second.

Vote: 5.0

- 1) Approval of FY11-12 Criminal Justice Partnership Program Plan.
- 2) Approve Contract for Yadkin Family YMCA.
- 3) Approve Contract for Yadkin Arts Council.
- 4) Authorize County Manager to Sign Adobe Agreement.
- 5) Authorize Finance Officer to Treat Recorded Interfund Transfers (Loans) in FY2010 as Transfers.
- 6) Close the Debt Service Fund, Water/Sewer Fund, Economic Development Fund, and Capital Reserve Fund.
- 7) Authorize Budget Amendment to Increase Estimated Sewer Revenue.
- 8) Authorize Budget Amendment to Accept NC Department of Justice Funds for Low Income Heating Energy Assistance Programs.

MANAGERS BUDGET AMENDMENTS / NO ACTION REQUIRED

- 1) The Veterans' Services department transferred \$999.00 to purchase a replacement desktop and add a legal-sized drawer for the copier.
- 2) The Public Buildings Maintenance department transferred \$1,000.00 to janitorial supplies to cover needed expenses through March.

BOARD ACTION

- 1) Turn Communications Over to the Sheriff. The former Sheriff, Sheriff Cain, turned Communications over to the County Manager. The current Sheriff, Sheriff Oliver, would like to resume control of Communications. Sheriff Oliver has 30 years of experience in this area and it would save Yadkin County the expense of separating Communications from the Sheriff's Department.

Sheriff Oliver stated it would be difficult to operate Communications as it is now and if control of Communications does come back to the Sheriff, he would be happy to work with the Communication Advisory Board, the Fire Chiefs, and anyone else who is receiving services. Sheriff Oliver also stated the Fire Department, EMS, and Law Enforcement are all in the business of protecting life and no preference will be given to one department over another. Turning control of Communications back over to the Sheriff will not interrupt the application process for the open Communications Director position.

David Brown, President of the Yadkin County Fire Chief's Association, addressed the Board of Commissioners on behalf of the Fire Chief's Association. He stated they felt the agencies using the Communications center would be better served, on a more impartial basis, with its Director serving under the direction of the County Manager. If Communications is turned back over to the Sheriff, the Fire Chiefs believe that Sheriff Oliver would be fair and impartial but they are concerned about how cooperative the next Sheriff might be toward other County agencies who work with Communications. They requested the Board of Commissioners review, annually at a minimum, the operations of Communications and listen to any concerns and recommendations the Communication Advisory Board brings forth. The most positive thing that arose out of turning over control of Communications to the County Manager was the creation of the Communication Advisory Board. The Communication Advisory Board listens to concerns and recommends policy updates, changes, and new policies if needed.

Commissioner Welborn made a motion to turn Communications over to the Sheriff with a 6 month review by the Communication Advisory Board requiring a report for the Board of Commissioners from the Communication Advisory Board every 6 months. Commissioner Hemric second.

Vote: 5/0

- 2) Schedule a Public Hearing for March 21, 2011 at 7:00pm to Hear a Zoning Map Amendment Request. The Planning Board recommended approval of rezoning Parcel Identification Number 4855-04-7719 from the Rural Agriculture District to the Community Business District. The petitioner recently sub-divided the approximately 1 acre property located on Saint Paul Church Road in Hamptonville. **Vice Chairman Zachary made a motion to schedule a public hearing for Monday, March 21 during the Regular Meeting to hear a zoning map amendment request for Parcel Identification Number 4855-04-7719 from the Rural Agriculture District to the Community Business District. Commissioner Welborn second.**

Vote: 5/0

- 3) Approve Addendum to Government Consultant Agreement. This has to be approved before the County Manager can be authorized to sign the Applicant Certification Form from the Department of Environment and Natural Resources. The addendum was written to comply with State guidelines. It details what has to be done for monitoring, reporting, and maintaining records for the Highway 21 Water Line. Todd Vestal, Public Buildings Director, will be working with the consultant/operator to learn what is done. The original contract also needs to be amended. The original contract states the Consultant will not be paid more than \$1,500.00 a month without prior written approval of the County Manager. The \$1,500.00 a month limit is not sufficient to cover labor and expenses. The Board of Commissioners, not the County Manager, would have to approve exceeding the payment amount in the contract. **Commissioner Moxley made a motion to authorize the County Manager to sign the amended contract for maintenance on the HWY 21 Water Line with David Webb and amend the original contract to read the Consultant will not be paid more than \$2,000.00 a month without prior written approval of the Board of Commissioners. Vice Chairman Zachary second.**

Vote: 5/0

- 4) Approve Water System Management Plan for Yadkin County Water System – Highway 21. This has to be approved before the County Manager can be authorized to sign the Applicant Certification Form from the Department of Environment and Natural Resources. The Water System Management Plan documents the organization of the County and the water system; ownership data; management qualifications; management training; policies; system monitoring, reporting, and recordkeeping; and financial plans. **Vice Chairman Zachary made a motion to approve the Water System Management Plan for the HWY 21 Water System and authorize the County Manager to make changes as needed. Commissioner Welborn second.**

Vote: 5/0

- 5) Approve Operation and Management Plan for Yadkin County Water System – Highway 21. This has to be approved before the County Manager can be authorized to sign the Applicant Certification Form from the Department of Environment and Natural Resources. The Operation and Management Plan has to be accessible to the operator at all times. It includes a description of all the pumps, meters, valves, blowoffs, hydrants, and backflow devices. There are no storage tanks. It addresses the Chlorination Station and the Booster Pump Station. **Commissioner Hemric made a motion to approve the Operation and Management Plan for the HWY 21 Water System and authorize the County Manager to make changes as needed. Commissioner Moxley second.**

Vote: 5/0

- 6) Approve the Emergency Management Plan for Yadkin County Water System – Highway 21. This has to be approved before the County Manager can be authorized to sign the Applicant Certification Form from the Department of Environment and Natural Resources. The Emergency

Management Plan has to be accessible to the operator at all times. It provides information to Yadkin County water distribution system personnel regarding emergency response. It includes the personnel responsible for emergency management, identification of foreseeable emergencies, a description of emergency response for each identified emergency, notification procedures, an evaluation of primary system components, and when regular updates to the plan should occur.

Commissioner Welborn made a motion to approve the Emergency Management Plan for the HWY 21 Water System and authorize the County Manager to make changes as needed. Vice Chairman Zachary second.

Vote: 5/0

- 7) Authorize Manager to Sign Applicant Certification Form from the Department of Environment and Natural Resources. Board Action Items 3 through 6 were approved by the Board of Commissioners so the County Manager needs to be authorized to sign the Applicant Certification Forms. **Commissioner Moxley made a motion to authorize the County Manager to sign the Applicant Certification for DEH Serial No. 06-0166R2, which is the Booster station on Rock House Mountain Road; DEH Serial No. 06-00748R1, which is the Water main extension HWY 21 and Old 421; and DEH Serial No. 08-01611, which is the Chlorine injection station. Commissioner Hemric second.**

Vote: 5/0

- 8) Approve Contract with Ware Bonsall for a Jail Needs Assessment Study. County Manager Church stated that he and Mr. Ware had agreed upon a correction to the compensation amount listed in the Ware Bonsall contract. On page 126 of the Agenda packet, in 8.2 COMPENSATION FOR THE ARCHITECT'S SERVICES, the "Stipulated Sum of \$32,960.00" should state "Stipulated Sum not to exceed \$32,960.00". Mr. Ware stated that he wanted to do an overview tonight and go over the scope of the project in more detail at the March 21, 2011 meeting. Ware Bonsall wants to meet with the Board of Commissioners to obtain their input regarding the goals and objectives of the study and what the Board would like to see as the outcome. The study should be completed in three (3) months. The study will contain an operational analysis of the jail population. The current jail facility will be studied to see what could be improved and to evaluate its potential uses. The study will determine if the current jail facility should be expanded or if a new jail facility should be built and what the estimated costs would be, including operational costs. Staffing costs are looked at closely because in a 20 to 30 year period, staffing costs will be approximately 80% to 90% of the overall cost of the facility. **Vice Chairman Zachary made a motion to authorize the County Manager to execute a contract, contingent upon Legal Council approval, with Ware Bonsall, not to exceed \$32,960.00 to perform a jail needs assessment study. Commissioner Welborn second.**

Vote: 5/0

- 9) Consider Leasing/Financing Agreement for Zoll Defibrillator/Monitors for EMS. Brent Hawks appeared before the Board to request Yadkin County enter into a low interest Master Lease Agreement with SunTrust Bank to purchase Zoll defibrillator/monitors. The lease includes maintenance and warranty. Payments are paid in arrears so they will not begin until next year. This medical equipment has been approved by the EMS Medical Director and Ron Lewis. Several of the defibrillator/monitors they are using now are over 10 years old and need to be replaced. People's lives depend on this equipment. Forsyth Medical Center and Wake Forest University Medical Center use Zoll products and Yadkin County EMS personnel will be able to send data to these hospitals through blue-tooth technology eliminating the need to repeat the same tests in the ER. The hospitals will be able to review the data and prepare for the patient's care before the patient arrives at the hospital. The old EMS equipment will be sold, rather than traded in, to benefit Yadkin County and the entity that purchases it. **Commissioner Moxley made a motion to approve the attached Master Lease Agreement, Lease #07804, allowing Yadkin County to proceed with procuring funds for the medical equipment presented. Vice Chairman Zachary second.**

Vote: 5/0

CALENDAR NOTES

- 1) March 9, 2011 – Educational Update Luncheon at Surry Community College's Yadkin Center from 12:00pm to 1:30pm.
- 2) March 12 - Yadkin County Volunteer Fire and Rescue Associations Annual Awards Banquet at Union Grove Baptist Church at 6:30pm.
- 3) March 21, 2011 – NC Cooperative Extension Service's "Report to the People" at the Yadkin County Center from 5:15pm to 6:45pm.

RECESS

Recess began at 10:30am and ended at 10:45am.

Commissioner Moxley made a motion to extend the meeting to 12:00pm. Commissioner Welborn second.

Vote: 5/0

MANAGER'S REPORTS/BOARD ACTION

- 1) None.

COMMISSIONER COMMENTS

Commissioner Moxley thanked everyone for coming. He congratulated Jim Graham on his retirement and wished him and his family well.

Commissioner Hemric congratulated Jim Graham on his 30 plus years of service to the County. He thanked everyone for coming. He thanked Sheriff Oliver for attending the meeting.

Commissioner Welborn thanked the people who attended Jim Graham's retirement reception. He stated Jim Graham served the County well for 34 years and wished him the best for the future. He thanked everyone for coming.

Vice Chairman Zachary stated Jim Graham had been a friend of his for a long time and things won't be the same without him. Jim Graham served as Council for many Boards and will be missed. Jim Graham has served the County well. He stated the announcement of Lydall's expansion in Yadkin County was excellent news. He appreciated everyone coming today.

Chairman Austin stated it was a great event for Jim Graham's retirement and was glad so many turned out to congratulate him on his service to the County. Jim Graham was the one consistent figure in Yadkin County's government for the last 35 years and was a part of each Board's successes. Jim Graham will be missed. The news from Lydall was excellent to hear. He thanked Bobby Todd for his work with Lydall's expansion. The Hospital is doing well and is making further commitments to Yadkin County. Things are good for Yadkin County right now.

Vice Chairman Zachary made a motion to go into Closed Session pursuant to NCGS 143-318.11(a)(4)(5)(6) for Economic Development, Property Acquisition and Personnel Matters.

Commissioner Moxley second.

Vote: 5/0

Upon returning from Closed Session, **Vice Chairman Zachary made a motion to extend the meeting. Commissioner Moxley second.**

Vote: 5/0

Commissioner Welborn made a motion to go into Closed Session pursuant to NCGS 143-318.11(a)(4)(5)(6) for Economic Development, Property Acquisition and Personnel Matters. Commissioner Hemric second.

Vote: 5/0

Commissioner Moxley made a motion to reclassify Accounting Technician Grade 59 to Accountant Grade 69 effective March 19, 2011 and authorize the County Manager to immediately recruit and fill the position. Commissioner Hemric second.


Vote: 5/0

Vice Chairman Zachary made a motion to appoint Bobby Sullivan as Interim County Attorney and authorize the County Manager to negotiate a contract with Bobby Sullivan at Parker Poe not to exceed \$20,000.00. Commissioner Welborn second.


Vote: 5/0

Commissioner Welborn made a motion to recess the meeting until March 9, 2011 at 12:00pm. Commissioner Moxley second.

Vote: 5/0



Prepared by Tanya Gentry
Deputy Clerk to the Board



Kevin Austin, Chairman
Yadkin County Board of
Commissioners

3/21/2011

Date approved by the
Yadkin County Board of Commissioners